

CSUB Auxiliary for Sponsored Programs Lactation Accommodation Policy for Employees

CSUB supports employees who continue to nurse their children after they return to work and is committed to providing a work environment that supports employees' legal rights and medical necessity to express milk in the workplace during the day.

Employees who wish to express breast milk for the employee's infant child while at work have the right to request a reasonable amount of break time for the purpose of expressing milk. Under the Fair Labor Standards Act (FLSA), the University is not required to compensate employees for breaks taken for the purpose of expressing milk. Break time to express milk should run concurrently with any break time already provided to the employee, when possible. Break time for an employee that does not run concurrently with the rest time authorized for the employee shall be unpaid. However, nursing employees using break time for the purpose of expressing milk shall be compensated in the same way other employees are compensated for break time.

Employees who request break time for the purpose of expressing milk shall be provided the use of a location to express milk in private. The location provided to express milk shall:

1. not be a bathroom and shall be in close proximity to the employee's work area, shielded from view, and free from intrusion while the employee is expressing milk;
2. be safe, clean, and free of hazardous materials, as defined in [Section 6382](#) of the Labor Code;
3. contain a surface to place a breast pump and personal items;
4. contain a place to sit; and,
5. have access to electricity or alternative devices, including, but not limited to extension cords or charging stations, needed to operate an electric or battery-powered breast pump.

Employees who wish to express breast milk for the employee's infant child while at work shall also have access to a sink with running water and a refrigerator suitable for storing milk in close proximity to the employee's workspace. If a refrigerator cannot be provided, another cooling device suitable for storing milk shall be provided by the employer.

Employees must advise the Director of Human Resources Administrator via email of their request for reasonable lactation accommodation for the purpose of expressing milk within 14 days from the expected commencement of the need for lactation accommodation. In the event that lactation accommodation in compliance with this policy cannot be provided, the Director of Human Resource Administration shall provide a written response to the employee submitting the request.

Any questions regarding lactation accommodation for employees should be directed to Tina Williams, Director of Human Resource Administration, twilliams@csub.edu.

Employees requesting lactation accommodation in accordance with this policy have the right to file a complaint with the Labor Commissioner for any violation of a right under [Chapter 3.8 Lactation Accommodation](#) of the Labor Code. Employees may file a report/claim with the Labor Commissioner's Bureau of Field Enforcement. For more information, see <http://www.dir.ca.gov/dlse/HowToReportViolationtoBOFE.htm>.